



cc: Fiscal

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

NBCUNIVERSAL MEDIA, LLC,
UNIVERSAL NETWORK
TELEVISION, LLC,
OPEN 4 BUSINESS PRODUCTIONS
LLC,
NBC SUBSIDIARY (KNBC-TV)
LLC,
TELEMUNDO NETWORK GROUP
LLC,
WNJU-TV BROADCASTING LLC,
AMERICAN BROADCASTING
COMPANIES, INC.,
ABC HOLDING COMPANY INC.,
DISNEY ENTERPRISES, INC.,
CBS BROADCASTING INC.,
CBS STUDIOS INC., and
BIG TICKET TELEVISION, INC.,

Plaintiffs,

v.

AEREOKILLER, LLC, FILMON.TV,
INC., FILMON.TV NETWORKS,
INC., FILMON.COM, INC., and
JOHN DOES 1-10,

Defendants.

Case No. 2:12-cv-06950 (GW) (JCx)

Hon. George H. Wu

**PRELIMINARY INJUNCTION
ORDER**

1 This Court, having considered all the submissions in support of, and in
2 opposition to, Plaintiffs NBCUniversal Media, LLC, Universal Network Television,
3 LLC, Open 4 Business Productions LLC, NBC Subsidiary (KNBC-TV),
4 Telemundo Network Group LLC, WNJU-TV Broadcasting LLC, American
5 Broadcasting Companies, Inc., ABC Holding Company Inc., Disney Enterprises,
6 Inc., CBS Broadcasting Inc., CBS Studios Inc., and Big Ticket Television, Inc.
7 (collectively, "Plaintiffs"), and having considered all matters presented at the
8 hearings on this Motion, including the hearings on December 6, 2012, December
9 20, 2012, and December 27, 2012 and good cause appearing as set forth in the
10 Court's written ruling of December 27, 2012, hereby **GRANTS IN PART** the
11 Motion and **ORDERS THAT:**

12 1. For purposes of this Preliminary Injunction, the following definitions
13 shall apply:

14 a. "Plaintiffs" shall mean NBCUniversal Media, LLC, Universal
15 Network Television, LLC, Open 4 Business Productions LLC, NBC
16 Subsidiary (KNBC-TV), Telemundo Network Group LLC, WNJU-TV
17 Broadcasting LLC, American Broadcasting Companies, Inc., ABC Holding
18 Company Inc., Disney Enterprises, Inc., CBS Broadcasting Inc., CBS Studios
19 Inc., and Big Ticket Television, Inc.

20 b. "Defendants" shall mean Aereokiller, LLC, FilmOn.TV
21 Networks, Inc., FilmOn.TV, Inc., and FilmOn.com, Inc., whether acting
22 jointly or individually.

23 c. "Copyrighted Programming" shall mean each of those broadcast
24 television programming works, or portions thereof, whether now in existence
25 or later created, including but not limited to original programming, motion
26 pictures and newscasts, in which the Plaintiffs, or any of them, (or any
27 parent, subsidiary, or affiliate of any of the Plaintiffs) owns or controls an
28

1 exclusive right under the United States Copyright Act, 17 U.S.C. §§ 101 *et*
2 *seq.*

3 2. Pending a final resolution of this action, Defendants, and all of their
4 parents, subsidiaries, affiliates, officers, agents, servants, employees, attorneys, and
5 those persons in active concert or participation with them who receive actual notice
6 of this Order (the "Enjoined Parties") are preliminarily enjoined from
7 retransmitting, streaming, or otherwise publicly performing or displaying within the
8 geographic boundaries of the United States Court of Appeals for the Ninth Circuit,
9 directly or indirectly, over the Internet (through websites such as filmonx.com or
10 filmon.com), via web applications (available through platforms such as the
11 Windows App Store, Apple's App Store, the Amazon Appstore, Facebook or
12 Google Play), via portable devices (through applications on devices such as
13 iPhones, iPads, Android devices, smart phones, or tablets), or by means of any
14 device or process, the Copyrighted Programming.

15 3. Violation of this Preliminary Injunction shall expose Defendants and
16 all other persons bound by this Preliminary Injunction to all applicable penalties,
17 including contempt of Court.

18 4. The injunction shall become effective two court days after Plaintiffs
19 file with the Court and serve through CM/ECF a notice that the required bond in the
20 amount of \$250,000.00 has been posted.

21 5. Within three court days of the effective date of the Preliminary
22 Injunction, Defendants shall file and serve a report in writing and under oath setting
23 forth in detail the manner and form with which Defendants have complied with the
24 Preliminary Injunction.

25
26 //

27 //

28 //

